

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(03259.02615)

In re Application of: Bin Chung, et al Group Art Unit: 1714
U.S. Application No.: 08/823,411 Examiner: Michl, P. R.
Filed: March 25, 1997 Paper No.:
For: NOVEL ELASTOMER COMPOSITES, METHOD AND
 APPARATUS

Assistant Commissioner for Patents
Washington, D.C. 20231

HAND DELIVERY TO: OFFICE OF PETITIONS
 ATTENTION: MS. EUGENIA JONES

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TRANSMITTAL OF DECLARATIONS

The enclosed papers are submitted in accordance with a telephone discussion between the undersigned and Ms. Eugenia Jones of the Special Program Law Office on February 2, 2000.

As discussed with Ms. Jones, the enclosed papers include supplemental declarations by the inventors, specifically, continuation-in-part type declarations entitled Declaration and Power of Attorney for Patent Application, signed by each of the seven inventors in the above-captioned patent application.

These inventor declarations claim the benefit under 35 U.S.C. §120, of prior filed co-pending U.S. Patent Application No. 08/625,163, of which the present application is a continuation-in-part. (That parent application U.S. Serial No. 08/625,163 is abandoned in favor of file wrapper continuation application Serial No. 08/969,713.)

A set of continuation-in-part declarations was filed in this application on August 25, 1999. As discussed with Ms. Jones, the August 1999 declarations inadvertently listed several incorrect individuals as inventors. More specifically, of the seven actual inventors of this application, only four were listed in the August 1999 declarations along with three individuals who were not inventors. This inadvertent clerical error was my fault, and it is understandable that the seven listed individuals did not notice the error since they are all inventors together on a different, co-pending, commonly assigned application having a similar title and covering similar subject matter, i.e., U.S.

Serial No. 08/942,449.

As soon as the error was discovered by the Chief Intellectual Property Counsel for the assignee of this application, I had the enclosed set of new declarations signed by the correct seven inventors of this application. Also at that time, I contacted the Special Program Law Office and, at the suggestion of Mr. Hiram Bernstein, submitted a Request for Review of File asking that the Special Program Law Office review the file folder of this application and particularly the inventor's declarations filed in August 1999.

Also enclosed is an Explanatory Declaration Under 37 C.F.R. §1.68 signed by each of the three individuals inadvertently included in the erroneous August 1999 declarations. These explanatory declarations recite that the three individuals are inventors of the above mentioned similar and co-pending patent application Serial No. 08/942,449, and contains an explicit acknowledgment by each of these three individuals that they are not a named inventor of this application US Serial No. 08/823,411. The explanatory declarations also recite how the erroneous August 1999 declarations came to be signed by the three individuals who are not inventors of this application Serial No. 08/823,411.

As discussed with Ms. Jones, the erroneous August 1999 declarations were not effective in any way to change the named inventors of this application, and certainly were not intended to do so by applicants. Ms. Jones also explained that the correct declarations enclosed with this paper will be entered into the file of this application, along with the explanatory declarations.

I want to express my gratitude to Ms. Jones for her professional and courteous assistance in this matter, as well as other personnel in the Special Program Law Office, including Ms. Christina Tartera and Mr. Hiram Bernstein for their professionalism and courteous assistance.

Respectfully submitted,



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Dated: February 7, 2000

U.S. Serial No. 08/823,411
Transmittal of Declarations